



**MONTANA DISTRICT COUNCIL OF LABORERS
CONSTRUCTION & GENERAL LABORERS' LOCAL NO. 1334**

☐ BUTTE (723-8102) ☐ GREAT FALLS (452-3653) ☐ MISSOULA (543-4782) ☐ KALISPELL (755-5276)
P.O. Box 3242 P.O. Box 1178 208 East Main 347 2nd Ave. W.
59702 59403 59802 59901

March 3, 2004

EPA, Region 8
Attn: Ms. Vicki Ferguson (8-OC)
999 18th St.
Suite 300
Denver, CO 80202-2486

SDMS Document ID



2030982

Re: Certified Payroll FOIA Request

Dear Ms. Ferguson:

In 2003 -- and possibly for some time prior to 2003 -- contractors under the auspices of the EPA's Superfund in Libby, Montana performed asbestos remediation of dwellings; in fact, by the end of 2003, some 200 houses were reported to be remediated. As I understand, several construction contractors, specifically Salut, Marcor (or a contractor doing business as Salut/Marcor), and Environmental Restoration, Inc., did the actual work.

A question has now arisen as to the proper wage rate to be paid to cleanup workers employed by contractors in Libby. To help resolve this question, it is important for me to review the "certified payrolls" of all Davis-Bacon eligible workers -- including Laborers, Equipment Operators and Carpenters -- who performed remediation work on the 200 houses. Certified payrolls are usually required to be submitted (or at least maintained in an accessible place) to the contracting agency to ensure compliance with the Davis-Bacon Act.

Ms. Wendi Thoni of the EPA's Helena, Montana office suggested that I request copies of the payroll records from you through FOIA. Therefore, I am requesting, under the Freedom of Information Act, the following records from your agency:

- Copies of all certified payroll records of the above named contractors or any and all other contractors employing Davis-Bacon eligible employees involved in the cleanup of the 200 remediated homes in Libby, Montana in 2003 or any time prior.

If there are any fees for searching or copying these records, please inform me before filling my request. If any part of my request is unclear to you, or if you have any questions that I might be able to answer that would assist you if filling my request, please don't hesitate to contact me.

Sincerely,

Randy Siemers
Lead Organizer
(509) 995-2851 cell
(408) 442-1441 office

cc: Jim Christiansen
Wendi Thoni

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EPA
LIBBY
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